

Old Ranch Storage Filing No 1 Development Plan Appeal

CITY COUNCIL

October 28, 2025



Old Ranch Storage Facility



QUICK FACTS

Location:

Northeast intersection of Rhinestone Drive and Old Ranch Road

Zoning and Overlays

Current: MX-M/AF-O (Mixed-Use Medium Scale with United States Air Force Academy Overlay)

-Previously zoned PBC (Planned Business Center)

Site Area

4.70 Acres

Proposed Land Use

Mini-warehouse (Storage Facility)

Applicable Code

Previous Chapter 7 of City Code

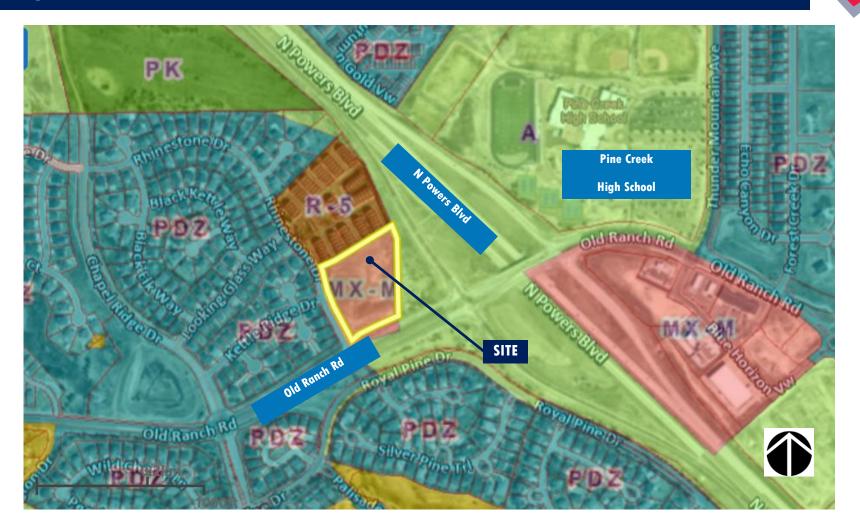
Council District

#2

APPLICATIONS

Appeal of Planning Commission decision

VICINITY MAP



Old Ranch Storage Appeal



PROJECT SUMMARY

SITE PLAN

File #(s):

APPL-25-0007

Project Proposal:

- Appeal of the City Planning Commission decision to deny the appeal approving the development plan
- Administrative approval of the Old Ranch Storage Filing No. 1 Development Plan was issued by staff on July 9, 2025, which granted approval of a new miniwarehouse facility
 - One story, on-site office
 - Nine (9), 1 story storage buildings
 - Gated access onto Rhinestone Drive

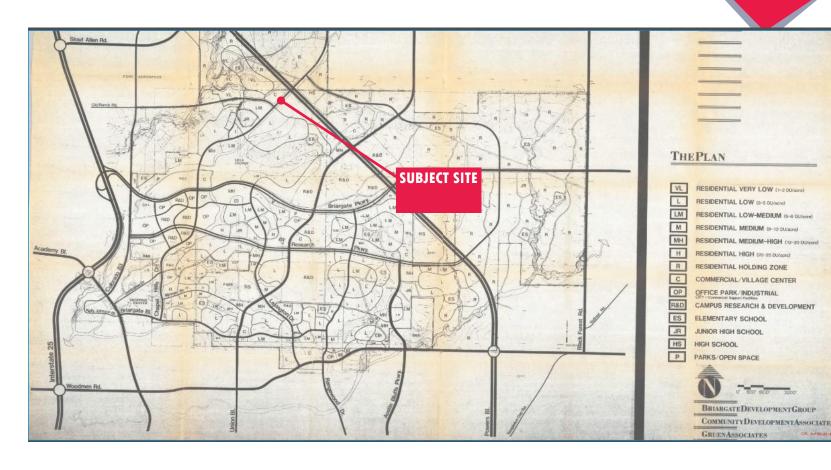


Briargate Master Plan - 1980



- ✓ Briargate Master Plan was approved in 1980
- ✓ The subject property was identified as
 "Commercial Village Center" or "C"

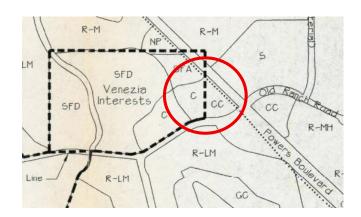


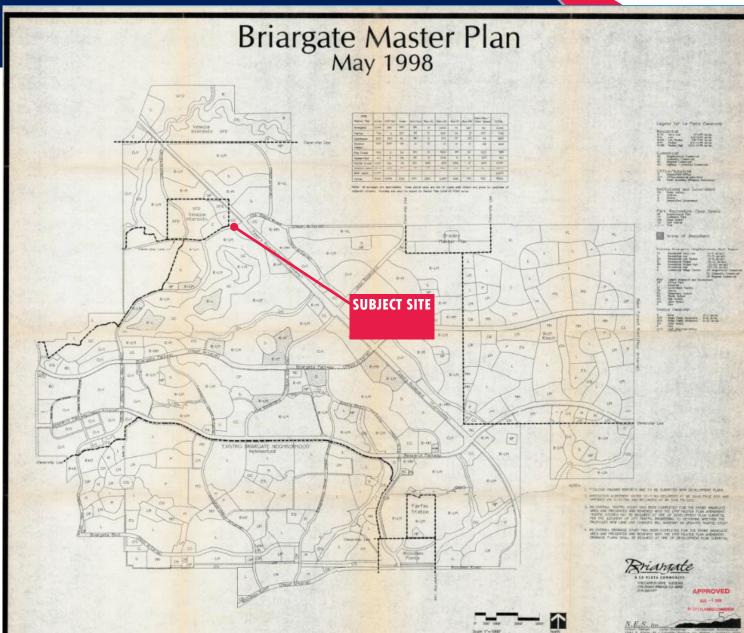


Briargate Master Plan - 1998



- ✓ In subsequent Master Plans, the "Commercial Village Center" (C) was further broken out to include:
 - ✓ CN Neighborhood Commercial
 - ✓ CC Community Commercial (subject site)
 - ✓ CR Regional Commercial

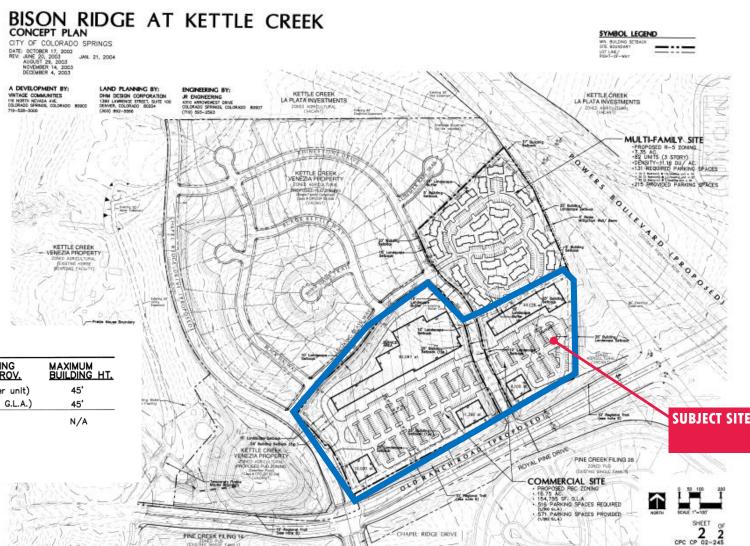




History of City Approvals - 2003



- ✓ Bison Ridge At Kettle Creek Concept Plan (guiding document to rezone) was approved by City Council November 2003, but stamped by January 4, 2004
- ✓ Subject property and property west of Rhinestone Drive identified a future "commercial" land use type (16.75 acres).
- ✓ Per Ordinance 03-196, 16.75 acres (which included subject property) of 19.704 acres was rezoned to PBC (Planned Business Center)
 - ✓ PBC zone district allowed for 'Miniwarehouse' as a permitted commercial use.



LAND-USE SUMMARY

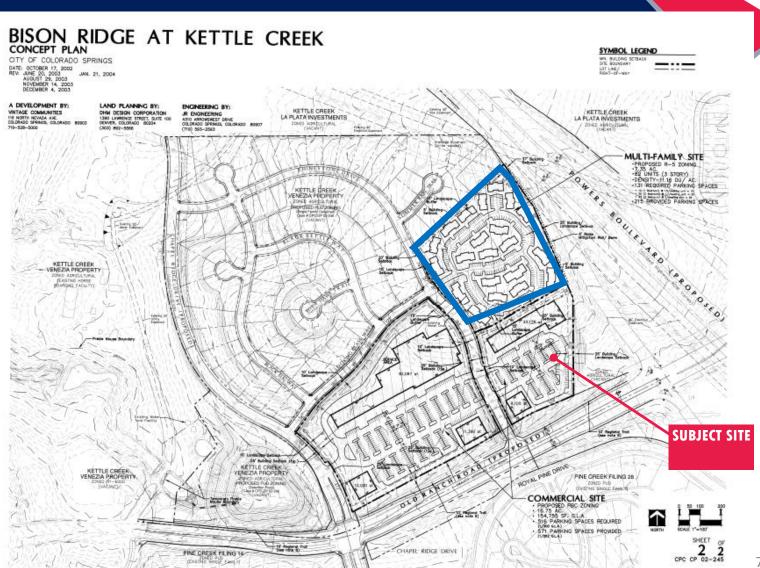
TOTAL	24.10 Ac.	82 UNITS/149,430 G.L.A.	622-663	786	N/A
COMMERCIAL (PBC)	16.75 Ac.	149,430 G.L.A.	499 (1/300 G.L.A.)	571 (1/262 G.L.A.)	45'
MULTI-FAMILY (R-5)	7.35 Ac.	82 UNITS	131*	215 (2.6 per unit)	45'
LAND USE	ACREAGE	NO. OF UNITS/G.L.A.	NO. PARKING SPACES REQ.	NO. PARKING SPACES PROV.	MAXIMUM BUILDING HT.

* Required parking based upon the following criteria: 10-1 Bedroom Units @ 1.5/ D.U.=15 spaces 30-2 Bedroom Units @ 1.7/ D.U.=32 spaces 42-3 Bedroom Units @ 2.0/ D.U.=84 spaces

History of City Approvals - 2003



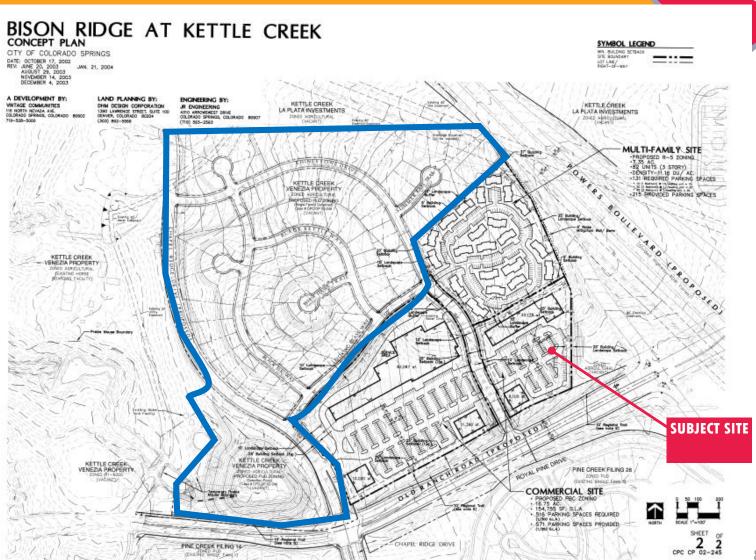
- ✓ Per Ordinance 03-195, 7.35 acres of 19.704 acres was rezoned to R-5 (Multi-Family Residential)
- The Townes at Kettle Creek 82 units (townhomes)



History of City Approvals - 2003



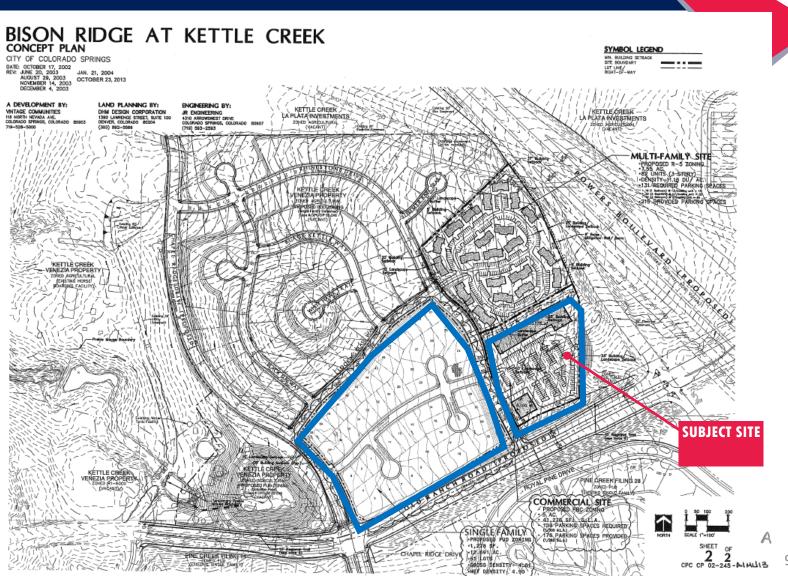
- √ 41.98 acres north of the commercial was identified on the Bison Ridge at Kettle Creek Concept Plan a "Proposed PUD Zoning" for single family detached.
- ✓ Per Ordinance 03-194, property was rezoned to PUD (Planned Unit Development: Single-Family Residential Detached, 1.95 du/ac, 30foot maximum building height)
- ✓ Bison Ridge at Kettle Creek (Filing 1 and 2) -94 lots



History of City Approval - 2014



- Bison Ridge at Kettle Creek Concept Plan was amendment to identify change from commercial to residential
- ✓ Per Ordinance 14-37, 12.91 acres was rezoned from PBC (Planned Business Center) to PUD (Planned Unit Development: Single-Family detached residential, 35-foot maximum height, 4.4 dwelling units per acre)
- ✓ Bison Ridge at Kettle Creek Filing No 4 50 single-family residential detached lots
- Subject property did not change with the zone change and concept plan amendment.
 Remained a 'commercial parcel.
 - ✓ Proposed access continued to be onto Rhinestone Drive, no access point onto Old Ranch Road





UDC Adoption / Zone Districts Update - 2023

- ✓ Unified Development Code (UDC) was adopted in February 2023; became effective June 5, 2023 (Ordinance 23-03)
- ✓ Update of the former zone districts under Chapter 7 to reflect the zone districts approved with the UDC was adopted April 2023 (Ordinance 23-18).
 - ✓ PBC (Planned Business Center) became MX-M (Mixed-Use Medium).
 - ✓ PUD (Planned Unit Development) became PDZ (Planned Development Zone District)
 - ✓ R-5 (Multi Family Residential) become R-5 (Multi-Family High)
- ✓ PBC (Planned Business Center) under Chapter 7 "This zone district accommodates general commercial uses that are of moderate intensity. The emphasis of the zone is placed on individual sites which in some cases will be located near residential zoning."
- ✓ MX-M (Mixed-Use Medium Scale) under UDC "The MX-M zone district accommodates a mix of, for example, commercial, retail, office, multi-family residential, and civic uses."

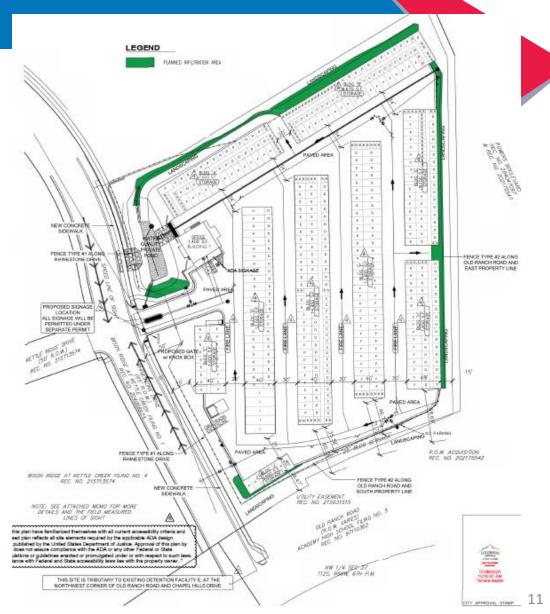


Chapter 7 and UDC Development Standards



✓ Application submitted under Chapter 7, prior to UDC adoption.
Applications did not have to pivot to be reviewed under UDC. Optional.

	Chapter 7	UDC	
Use Type	Mini warehouse	Self-Storage	
Architectural Standards	Definitions – "Building Articulation"	UDC Section 7.4.11: Building Design/Site Features	
Parking	1 parking space /400 sq ft	1 parking space / 400 sq ft	
Height	45 feet	50 feet	
Lighting Standards	Photometric Plan not required (provided)	Photometric Plan required; UDC Section 7.4.12	
Landscaping	Minimum landscape requirements met	Minimum landscape requirements met	
Site Specific Standards	Minimum driveway width; outdoor storage specifically permitted per district	No outside storage except RV; no hazardous materials	



Timeline of Review



Initial Submittal	August 15, 2022
Comments Issued by Staff	February 28, 2023
Payment of Invoice Fees	February 28, 2023
Resubmittal by Applicant	October 16, 2023
Comments Issued by Staff	November 30, 2023
Resubmittal by Applicant	June 5, 2024
Comments Issued by Staff	July 10, 2024
Resubmittal by Applicant	December 19, 2024
Comments Issued by Staff	January 23, 2025
Resubmittal by Applicant	February 12, 2025
Comments Issued by Staff	February 27, 2025
Resubmittal by Applicant	June 23, 2025
Approval Issued by Staff	July 9, 2025

- Per Chapter 7, Section 7.5.202.F.2: Withdrawal of Applications "Any development application that meets any of the following criteria shall be deemed to be withdrawn and review formally terminated:...
 - "The applicant fails to respond and/or submit revised plans, reports or correspondence to the Community Development Department for more than a one hundred eighty (180) day period following a request from the Community Development Department. The Manager many extend the response period provided that the applicant demonstrates adequate cause for the extension.
- Communication between the applicant and staff had occurred through out this period from initial review to approval



TIMELINE OF APPEAL

Initial Submittal Date	The initial submittal of this project was made on August 12, 2022		
Administrative Decision	The Development Plan was approved on July 9, 2025		
Number of Review Cycles	6		
Item(s) Ready for Agenda	 A complete Appeal application of the administrative decision was received on July 21, 2025, and the Appeal was scheduled for Planning Commission per UDC Section 7.5.415 		
	 A complete Appeal application of the Planning Commission meeting was received on September 22, 2025, and the Appeal was schedule for Council per UDC Section 7.5.415 		





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Public Notice Occurrences (Posters / Postcards)	Prior to Planning Commission Hearing; Prior to Council Hearing
Postcard Mailing Radius	1,000 feet
Number of Postcards Mailed	281 Postcards
Number of Comments Received	0 Comments (Council Appeal)20 Comments Received (CPC Appeal); 160 Comments Received (Initial Review)

PUBLIC ENGAGEMENT

- A neighborhood meeting was held on August 12, 2025. Approximately 61 members of the public were in attendance.
- This meeting was held after the administrative approval of the project and prior to the appeal to Planning Commission.
- A neighborhood meeting did not occur during the initial review of the project and likely should have based upon public interest
 of the project. Approximately 160 public comment were received during the initial review of the project.
- Comments in opposition are related to traffic, compatibility of use, lighting, access, crime and safety, inadequate
 infrastructure, and decrease in value of homes.

PLANNING COMMISSION



- Planning Commission considered the appeal of the administrative decision on September 10, 2025
- Planning Commission voted to deny the Appeal and affirm the administrative approval of the Development Plan application, based on the provisions of the City Code (UDC), and that the appellant had not substantiate that the appeal satisfied the review criteria outline in City Code (UDC) Section 7.5.415.A.2
 - Vote 5-2-2
 - 5 (in favor of denying the appeal); 2 (in favor of the appeal); 2 were absent



AGENCY REVIEW

Traffic Engineering

Traffic Engineering reviewed this application, and a traffic impact study was not required since the proposed use is a low traffic generator.

SWENT

Stormwater reviewed this application. A final drainage report was submitted and reviewed by SWENT. All comments were addressed during the review of this project.

Engineering Development Review

Engineering reviewed this application. All comments were addressed during the review of this project.

Colorado Springs Utilities

CSU reviewed this application. All comments were addressed during the review of this project.

Planning Landscape Reviewer

The Land Use Review Landscape Reviewer noted that the proposed landscaping per the approved preliminary landscape plan met the minimum landscape requirements under Chapter 7 as well as per the new UDC (Unified Development Code). All comments were addressed during the review of this project.

Colorado Springs Fire

CSFD reviewed this application and requested a fire truck turning exhibit and hose lay exhibit. All comments were addressed during the review of this project.

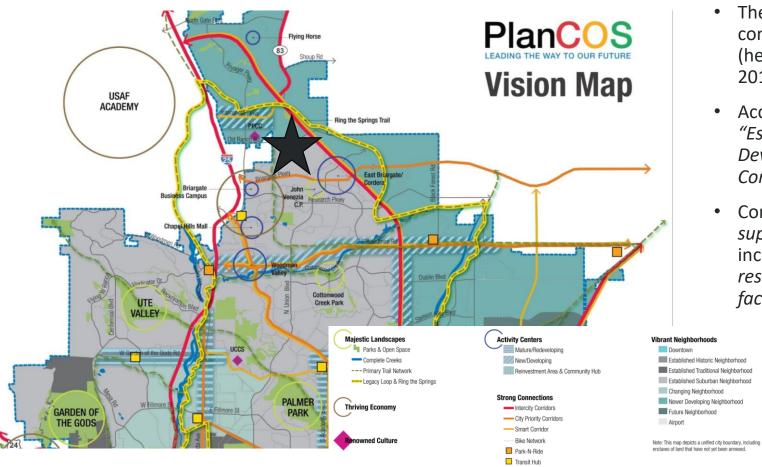
Colorado Springs Police Department (CSPD)

CSPD reviewed this application and provided comments related to security. All comments were addressed during the review of this project.



PlanCOS COMPLIANCE

PlanCOS MAP IMAGE



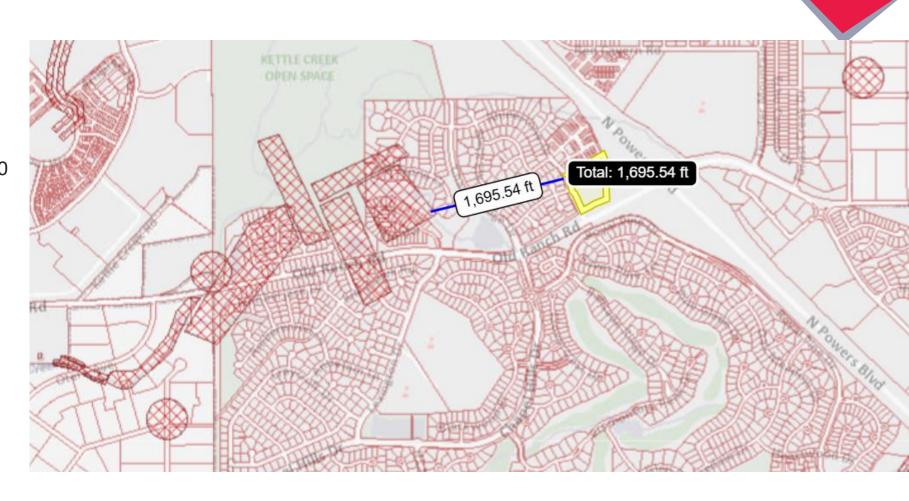
PlanCOS Compliance

- The proposed development plan was evaluated for conformance with the City's current comprehensive plan (herein referred to as "PlanCOS"), adopted in January 2019.
- According to PlanCOS, the project site lays between "Established Suburban Neighborhood" and "Newer Developing Neighborhood" and is adjacent to "Intercity Corridor" and "City Priority Corridor" (Powers Boulevard).
- Common desired elements "should be widely encouraged, supported, and promoted for most neighborhood." This includes "an integrated mix of land uses to allow siting of residential, retail, office, recreational, and educational facilities within close proximity".

PREBLES JUMPING MOUSE HABITAT



- Layer in our GIS mapping (CityView) shows surveyed areas of Preble's Jumping Mouse in the area.
- The closed surveyed area is over 1,600 feet from the subject property.





APPLICATION REVIEW CRITERIA

7.5.502.E Development Plan (Chapter 7)

Criteria for Approval

- 1. The details of the use, site design, building location, orientation and exterior building materials are compatible and harmonious with the surrounding neighborhood, buildings and uses, including not-yet-developed uses identified in approved development plans.
- 2. The development plan substantially complies with any City- adopted plans that are applicable to the site, such as master plans, neighborhood plans, corridor plans, facilities plans, urban renewal plans, or design manuals.
- The project meets dimensional standards, such as but not limited to, building setbacks, building height and building area set forth in this chapter, or any applicable FBZ or PUD requirement.
- 4. The project grading, drainage, flood protection, stormwater quality and stormwater mitigation comply with the City's Drainage Criteria Manual and the drainage report prepared for the project on file with the City Engineering Department.
- 5. The project provides off-street parking as required by this chapter, or a combination of off-street or on-street parking as permitted by this chapter.
- 6. All parking stalls, drive aisles, loading/unloading areas, and waste removal areas meet the location and dimension standards set forth by this chapter.
- 7. The project provides landscaped areas, landscape buffers, and landscape materials as set forth in this chapter and the Landscape Design Manual.

Statement of Compliance

DEPN-22-0021

After evaluation of the Old Ranch Storage Filig No 1 Development Plan, Planning Commission determined that the project met the review criteria.



APPLICATION REVIEW CRITERIA

7.5.502.E Development Plan (Chapter 7)

Criteria for Approval

- 8. The project preserves, protects, integrates or mitigates impacts to any identified sensitive or hazardous natural features associated with the site.
- 9. The building location and site design provide for safe, convenient and ADA-accessible pedestrian, vehicular, bicycle, and applicable transit facilities and circulation.
- 10. The number, location, dimension and design of driveways to the site substantially comply with the City's Traffic Criteria Manual. To the extent practicable, the project shares driveways and connects to drive aisles of adjoining developments.
- 11. The project connects to or extends adequate public utilities to the site. As required by Colorado Springs Utilities, the project will extend the utilities to connect to surrounding properties.
- 12. If necessary to address increased impacts on existing roadways and intersections, the project includes roadway and intersection improvements to provide for safe and efficient movement of multi-modal traffic, pedestrians and emergency vehicles in accordance with the City's Traffic Criteria Manual, public safety needs for ingress and egress and a City accepted traffic impact study, if required, prepared for the project.
- 13. Significant off-site impacts reasonably anticipated as a result of the project are mitigated or offset to the extent proportional and practicable. Impacts may include, but are not limited to light, odor and noise. (Ord. 94-107; Ord. 95-125; Ord. 01-42; Ord. 02-64; Ord. 03-74; Ord. 03-157; Ord. 09-50; Ord. 09-78; Ord. 12-72; Ord. 18-2)

Statement of Compliance

DEPN-22-0021

After evaluation of the Old Ranch Storage Filig No 1 Development Plan, Planning Commission determined that the project met the review criteria.



APPLICATION REVIEW CRITERIA

7.5.415.A.4 – Appeal (UDC)

Criteria for Approval

Per City Code Section (UDC) 7.5.415.A (Appeals), an affected party aggrieved by a decision on an application may appeal this decision. The review criteria for a decision on an appeal is set forth in City Code Section (UDC) 7.5.415.A.2, as follows (following directly pulled from UDC):

- 2. Notice of Appeal
 - a. The notice of appeal shall state:
 - (1) The specific provision(s) of this UDC that is the basis of the appeal; and
 - (2) Which of the following criteria for reversal or modification of the decision is applicable to the appeal:
 - (a) The decision is contrary to the express language of this UDC; or
 - (b) The decision is erroneous; or
 - (c) The decision is clearly contrary to law; and
 - (3) Describe how the criteria for the relevant application have or have not been met.
 - b. A recommendation to City Council to approve an application shall not be the basis for an appeal.
 - c. As a preliminary matter, the body hearing the appeal may choose to vote on the sufficiency of the appeal to determine if the appeal has met the requirements of this Subsection. Upon a finding of insufficiency by a majority of the body hearing the appeal, the appeal shall be rejected, and no hearing held.

CITY COUNCIL OPTIONAL MOTIONS



Optional Motions

APPL-25-0007 – Old Ranch Storage Filing No. 1 Development Plan Appeal

- 1. Affirm the decision of the Planning Commission and deny the appeal; or
- 2. Reverse the decision of the Planning Commission and approve the appeal; or
- 3. Modify the decision of the Planning Commission and approved the appeal; or
- 4. Remand the matter back to the Planning Commission for further consideration

CITY COUNCIL OPTIONAL MOTIONS



Optional Motions - APPL-25-0007 - Old Ranch Storage Filing No. 1 Development Plan Appeal

Should the City Council wish to affirm the City Planning Commission decision on the development plan application, the following motion is suggested:

Deny the Appeal and uphold the City Planning Commission decision on the Old Ranch Storage Filing No. 1 Development Plan, based upon the findings that the review criteria for deciding on the development plan as set forth in City Code (Chapter 7) Section 7.5.502.E are met as decided by Planning Commission, and that the appellant did not substantiate that the appeal satisfies the review criteria outlined in City Code (UDC) Section 7.5.415.A.2.

Should the City Council wish to reverse the Planning Commission decision for the development plan application, the following motion is suggested.

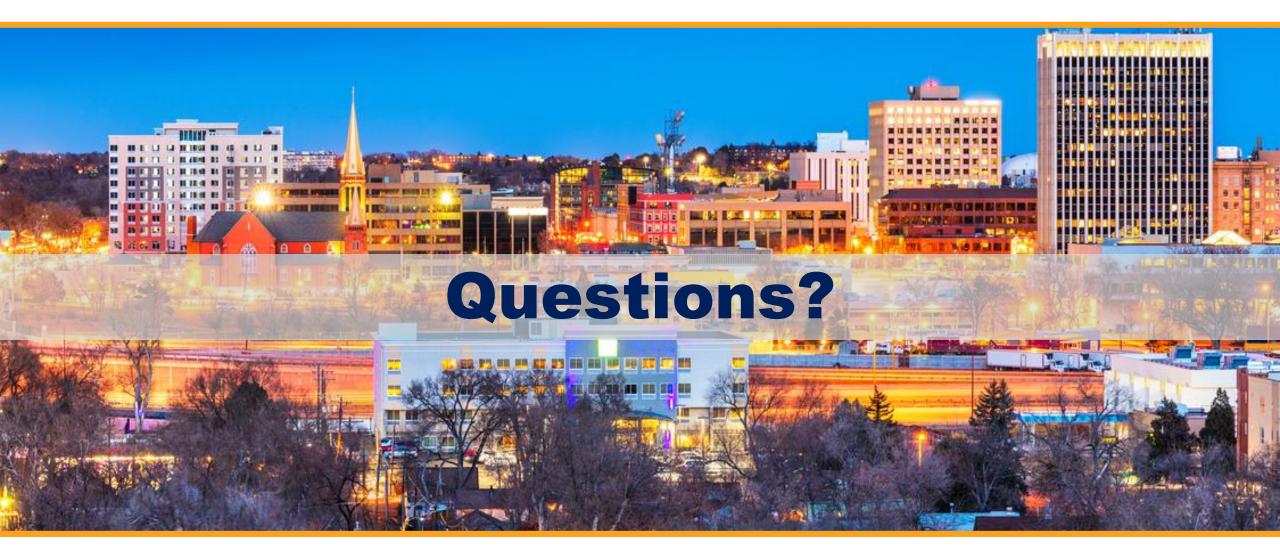
Approve the Appeal and reverse the City Planning Commission decision on the Old Ranch Storage Filing No. 1 Development Plan, based upon the finding that the appeal criteria found in City Code (UDC) Section 7.5.415.A.2 have been met, and that application does not comply with the review criteria for granting a development plan set forth in City Code (Chapter 7) Section 7.5.502.E.

Should the City Council wish to modify the appeal application, the following motion is suggested.

Approve the Appeal and modify the Planning Commission decision on the Old Ranch Storage Filing No. 1 Development Plan, based upon the finding that the review criteria for deciding on a development plan set forth in City Code (Chapter 7) Section 7.5.502.E, with revisions to the development plan [as determined by City Council].

Should the City Council wish to remand the matter back to the City Planning Commission for further consideration, the following motion is suggested.

Remand the matter back to the City Planning Commission for further consideration of the development plan to the applicable review criteria for deciding on a major modification as set forth in City Code (Chapter 7) Section 7.5.502.E.









Subject Site

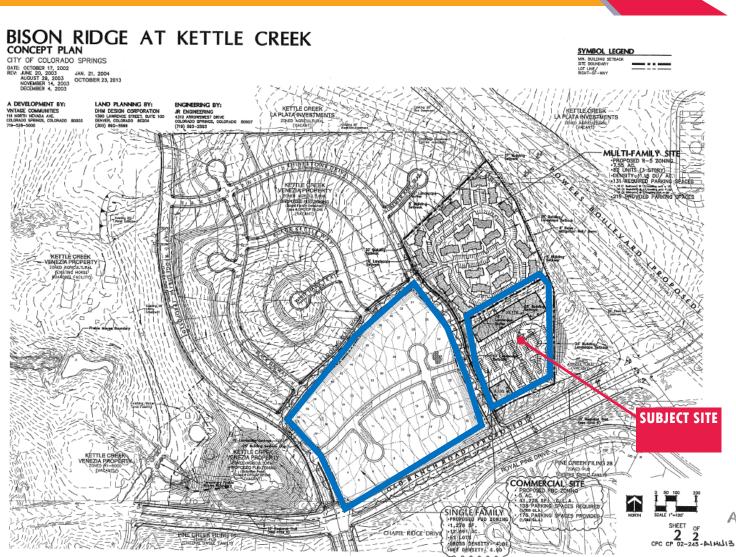




Master Plan & Concept Plan - Chapter 7



- ✓ In accordance with Chapter 7, Section 7.5.402, the Briargate Master Pan was considered an "implemented master plan" and a master plan amendment to change the use from commercial to residential was not required.
 - ✓ An implemented master plan is "a master plan that is eighty five percent (85%) or more built out and the remaining vacant land is zoned in conformance with the master plan. The redevelopment and neighborhood plans that are more than eighty five percent (85%) built out and are being used as an ongoing guide will not be classified as implemented."
- ✓ The master plan was not required to be updated for the change
 of the commercial to residential west of the site since
 development of the master plan area exceeded 85% built out
 and considered implemented.
- ✓ The Bison Ridge at Kettle Creek Concept Plan was also not required to be amended to reflect a commercial use to commercial use. The subject property is the only undeveloped parcel and the use type for the site was identified as commercial.
- ✓ The development plan is the next tier if the entitlement process
 which provided more details than the master plan and concept
 plat.



Chapter 7 – Withdrawn



Chapter 7

Per Chapter 7, Section 7.5.202.F.2: Withdrawal of Applications

Any development application that meets any of the following criteria shall be deemed to be withdrawn and review formally terminated:...

 "The applicant fails to respond and/or submit revised plans, reports or correspondence to the Community Development Department for more than a one hundred eighty (180) day period following a request from the Community Development Department. The Manager many extend the response period provided that the applicant demonstrates adequate cause for the extension.

UDC

Per UDC, Section 7.5.403.E: Withdrawal of Application

Withdrawal of Application

An application shall be deemed withdrawn and the review terminated if:

- 1. The applicant requests that the application be withdrawn; or
- 2. The applicant fails to respond or submit revised plans, reports, or correspondence to the

Manager for more than one hundred and eighty (180) days following a request from the Manager. The Manager may extend the response period for good cause shown by the applicant

Chapter 7 - Appeals



Chapter 7 Appeal Criteria

- 4. Criteria For Review Of An Appeal Of An Administrative Decision: In the written notice, the appellant must substantiate the following:
- a. Identify the explicit ordinance provisions which are in dispute.
- b. Show that the administrative decision is incorrect because of one or more of the following:
- (1) It was against the express language of this zoning ordinance, or
- (2) It was against the express intent of this zoning ordinance, or
- (3) It is unreasonable, or
- (4) It is erroneous, or
- (5) It is clearly contrary to law.
- c. Identify the benefits and adverse impacts created by the decision, describe the distribution of the benefits and impacts between the community and the appellant, and show that the burdens placed on the appellant outweigh the benefits accrued by the community.

UDC Appeal Criteria

- 2. Notice of Appeal
 - a. The notice of appeal shall state:
 - (1) The specific provision(s) of this UDC that is the basis of the appeal; and
 - (2) Which of the following criteria for reversal or modification of the decision is applicable to the appeal:
 - (a) The decision is contrary to the express language of this UDC; or
 - (b) The decision is erroneous; or
 - (c) The decision is clearly contrary to law; and
 - (3) Describe how the criteria for the relevant application have or have not been met.